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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA
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9 United States of America,

No. CR-18-01695-TUC-JAS (EJM)

10 Plaintiff,

ORDER

11 v.

12 Shawmaine Eustace Ardell Moore,

13 Defendant.

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15 Pending before the Court is a Report and Recommendation (Doc. 1646) issued by
16 United States Magistrate Judge Markovich that recommends that the Court grant, in part,
17 defendant Shawmaine Eustace Ardell Moore's Motion to Suppress Statements (Doc.
18 1148), and exclude from evidence all statements made during the interviews on June 27,
19 2015, August 25, 2015, and December 10, 2015, as well as statements made during the
20 August 20, 2015 interview that pertain to the then-pending state prohibited possessor
21 charge. A review of the record reflects that the parties have not filed any objections to the
22 Report and Recommendation and the time to file objections has expired. As such, the
23 Court will not consider any objections or new evidence.

24 The Court has reviewed the record and concludes that Magistrate Judge
25 Markovich's recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed.
26 R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley*
27 *v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

28 Accordingly, IT IS HEREBY ORDERED as follows:

- 1 (1) Magistrate Judge Markovich's Report and Recommendation (Doc. 1646) is accepted
2 and adopted.
- 3 (2) Defendant's Motion to Suppress Statements (Doc. 1148) is GRANTED IN PART. All
4 statements made during the interviews on June 27, 2015, August 25, 2015, and December
5 10, 2015, as well as statements made during the August 20, 2015 interview that pertain to
6 the then-pending state prohibited possessor charge, are excluded from evidence in
7 accordance with the Report and Recommendation.

8 Dated this 17th day of June, 2022.

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12 Honorable James A. Soto
13 United States District Judge
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